

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No: 5:15-CR-325-BR-3

FILED IN OPEN COURT
ON 12/15/16 KM
Julie Fikehardt Johnson, Clerk
US District Court
Eastern District of NC

UNITED STATES OF AMERICA)
)
 v.) ORDER OF JUDICIAL REMOVAL
)
 SUFIAN BASHEER ABU ELKAS)

Upon application of the United States and upon receipt of the Stipulated Request for Judicial Removal of the Defendant Sufian Basheer Abu Elkas, and based upon all prior proceedings and submissions in this matter and full consideration having been given to the matters set forth therein, the Court finds:

1. The defendant is not a citizen or national of the United States.
2. The defendant is a native of Jordan and a citizen of Jordan.
3. On January 11, 2012 the defendant entered the United States at Orlando, Florida as a Non-Immigrant Foreign Student (F-1) and was authorized to remain in the United States for the duration of his status.
4. The defendant attempted to adjust his status to that of a legal permanent resident on June 15, 2012, based on his marriage to an individual having initials S.C., said marriage being fraudulent and the cause of the instant conviction in this Court.
5. On October 31, 2016, the defendant was convicted in the instant criminal proceeding on one count of marriage fraud, in violation of Title 8, United States Code, Section 1325(c).
6. A maximum sentence of five (5) years, a maximum fine of \$250,000, and a maximum term of three (3) years of supervised release may be imposed for this offense.

7. The defendant was sentenced on December 5, 2016, to be followed by years supervised release, and assessed a \$ fine.

8. At the time of sentencing, the defendant will be subject to removal under:

- a. Title 8 U.S.C. § 1227(a) (2) (A) (i) (I) and (II) for being convicted of a crime involving moral turpitude within five years of entry for which a term of imprisonment of one year or more may be imposed;
- b. Title 8 U.S.C. 1227(a) (C) (i) for being admitted as a nonimmigrant alien who has failed to maintain the nonimmigrant status in which he was admitted; and
- c. Title 8 U.S.C. 1227 (A) (1) (a) for being in a class of aliens that at the time of entry or adjustment of status was within one or more of the classes of aliens inadmissible by the law existing at such time; to wit: Title 8 U.S.C. Section 1182(a) (6) (C) (i) for being an alien who sought to procure or procured a visa or other documentation or admission by fraud or misrepresenting a material fact.

9. The defendant has waived any and all forms of relief from removal.

10. The defendant has designated the country of Jordan for removal.

WHEREFORE, IT IS HEREBY ORDERED pursuant to 8 U.S.C. § 1228(c) (5) that the defendant be removed from the United States promptly upon his release from confinement (if any), and that the defendant be ordered removed to Jordan.

IT IS SO ORDERED this 5 day of December, 2016.


W. EARL BRITT
Senior United States District Judge